

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

RE: ERRORS IN THE PRE-GRANT PUBLICATION (PG-PUB)

It is respectfully pointed out that the amendments made to the specification in the Preliminary Amendment filed with the application papers on October 7, 2005, have not been made in the Patent Application Publication US 2007/0007949 of the present application published January 11, 2007. It is respectfully requested that the specification amendments set forth in the Preliminary Amendment filed October 7, 2005, be entered when the present application issues as a patent.

THE SPECIFICATION

The specification has been further amended to correct some minor informalities of which the undersigned has become aware. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

THE DRAWINGS

Figs. 1 and 3 have been amended to delete the unnecessary reference numeral 24 which, as recognized by the Examiner, is not

mentioned in the specification. Submitted herewith are a corrected sheet of formal drawing which incorporates the amendments and an annotated sheet showing the changes made thereto. No new matter has been added, and it is respectfully requested that the amendments to the drawings be approved and entered and that the Examiner's objection to the drawings be withdrawn.

THE CLAIMS

Independent claim 6 has been amended to clarify that the transducer extends over a major part of a length of the cylinder barrel. In addition, claim 6 has been amended to clarify that the magnetic activating element and the elongate electronic contact free transducer are arranged such that indications are obtained when the magnetic activating element on the piston passes chosen indication points on the elongate electronic contact free transducer. See the disclosure in the specification at, for example, page 3, lines 22-29 and page 4, lines 10-23.

Still further, claim 6 has also been amended to make some minor grammatical improvements.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 6, 8, 10, 12, 14, 16, 18 and 20 were rejected under 35 USC 102 as being anticipated by US 2003/0010192 ("RÖLLGÅRDH"), and claims 7, 9, 11, 13, 15, 17, 19 and 21 were rejected under 35 USC 103 as being obvious in view of the combination of RÖLLGÅRDH and USP 4,914,916 ("Leigh-Monstevens et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claim 6, a pressure medium activated piston-cylinder device is provided which comprises a cylinder barrel with a cylinder bore, a piston movably guided in the cylinder bore, and a piston position indicating device including a magnetic activating element mounted on the piston and an elongate electronic contact free transducer mounted on and extending over a major part of a length of the cylinder barrel. In addition, as recited in amended independent claim 6, the cylinder barrel has an outer elongate channel extending in parallel with the cylinder bore, a circuit board which supports electronic components is connected to the transducer, and the transducer and the circuit board are located in the channel. Still further, as recited in amended independent claim 6, the magnetic activating element and the elongate electronic contact free transducer are arranged such

that indications are obtained when the magnetic activating element on the piston passes chosen indication points on the elongate electronic contact free transducer.

With the structure of the present invention as recited in amended independent claim 6, both the transducer and the circuit board are located in the channel of the cylinder barrel. And with this structure, an advantageous effect is achieved whereby both the position sensing transducer and the circuit board electronics are fitted without any advanced extra machining of the cylinder barrel and without adding to the outer dimensions of the device. See the disclosure in the specification at page 2, lines 18-28.

On page 2 of the Office Action, the Examiner asserts that RÖLLGÅRDH discloses a transducer and a circuit board which are provided in a channel. However, the Examiner fails to indicate where exactly in RÖLLGÅRDH this limitation is taught.

Indeed, it is respectfully submitted that RÖLLGÅRDH does not disclose, teach or suggest the feature of the piston-cylinder device of the claimed present invention whereby the transducer and a circuit board (which support electronic components and which is connected to the transducer) are located in the channel. And it is respectfully submitted that the advantageous effect of minimal extra machining of the cylinder barrel and overall

compactness which are achieved by the claimed present invention are not achieved by the piston-cylinder of RÖLLGÅRDH.

In addition, it is respectfully pointed out that with the structure of the present invention as recited in amended independent claim 6, since the piston-cylinder device is provided with the elongated transducer instead of the conventional single point sensors, an advantageous effect is achieved because the problem of positioning and locking the single point sensors by manual operation is avoided.

It is respectfully submitted that the cited reference RÖLLGÅRDH merely discloses providing conventional single point sensors 20 in the channel 17 of a piston-cylinder device. And it is respectfully submitted that RÖLLGÅRDH does not at all disclose, teach or suggest a piston position indicating device including an elongate electronic contact free transducer mounted on and extending over a major part of a length of the cylinder barrel, as according to the present invention as recited in amended independent claim 6.

Still further, it is respectfully submitted that RÖLLGÅRDH does not disclose, teach or suggest arranging the magnetic activating element and the elongate electronic contact free transducer such that indications are obtained when the magnetic activating element on the piston passes chosen indication points on

the elongate electronic contact free transducer, as according to the present invention as recited in amended independent claim 6.

Leigh-Monstevens et al, moreover, has merely been cited for the disclosure of a cylinder barrel made from an aluminum alloy.

Accordingly, it is respectfully submitted that the present invention as recited in amended independent claim 6 and claims 7-21 depending therefrom, clearly patentably distinguishes over RÖLLGÅRDH, taken singly or combination with Leigh-Monstevens et al, under 35 USC 102 as well as under 35 USC 103.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900

DH:jd
encs.